



Violence Against Women Education Project

ANNUAL REPORT

April 2002–September 2003



ADMINISTRATIVE OFFICE
OF THE COURTS

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October 2003

ABOUT THIS PROJECT

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For additional information about VAWEP activities, editorial comments, and inquiries, please contact:

Bobbie Welling, Project Manager
telephone 415-865-7822, fax 415-865-7217, e-mail bobbie.welling@jud.ca.gov

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Center for Families, Children & the Courts at 415-865-7739 or write to:

Judicial Council of California
Administrative Office of the Courts
Center for Families, Children & the Courts
Attention: **Violence Against Women Education Project (VAWEP)**
455 Golden Gate Avenue, San Francisco, California 94102-3660

Project Mission

The mission of the Violence Against Women Education Project is to heighten the awareness of domestic violence, sexual assault, and stalking issues through the following activities:

- Identifying primary educational and information needs of the courts on domestic violence, sexual assault, and stalking issues;
- Initiating new and enhancing existing judicial-branch educational programming pertaining to domestic violence, sexual assault, and stalking;
- Developing and compiling useful information for the courts on domestic violence, sexual assault, and stalking issues that relates specifically to California law;
- Institutionalizing inclusion of domestic violence, sexual assault, and stalking issues in all relevant judicial-branch education curricula, programs, and publications; and,
- Creating incentives designed to increase participation in judicial branch education relating to domestic violence, sexual assault, and stalking.

Education in Domestic Violence, Sexual Assault, and Stalking Cases: A Critical Need

Many California judicial officers, whether they hear criminal cases, civil proceedings, juvenile dependency cases alleging violence, or family law cases involving contested divorce and custody arrangements, are at some point likely to encounter issues related to domestic violence, sexual assault, and stalking. These types of cases represent a departure from others in that they arise in a variety of court contexts and departments. Judges in any assignment can benefit from a working knowledge of the unique issues that these cases pose; judicial officers presiding over specialized courts (such as domestic violence or Domestic Violence Prevention Act courts) need continuing, relevant, and advanced information and resources.

Other court professionals also play a critical role as in ensuring access to the courts for the parties in these cases. From the counter clerk who may be the first representative of the court system to assist a victim of domestic violence, to the bailiff in the courtroom who performs crucial safety functions, to the document examiner who ensures that legal requirements are met – all work together to assist in the administration of these cases. Each court professional needs essential job-related information, an understanding of the law and procedure underlying these cases, a grounding in the basic principles of public service and safety, and information about how to reduce the stress of functioning in this difficult area.

Thus, ongoing and pertinent education for judicial officers and other judicial branch professionals is critically important to the fair and efficient administration of justice in these important cases. The Violence Against Women Education Project (VAWEP) is an initiative designed to meet this need. VAWEP is a

project of the Administrative Office of the Courts (AOC) Center for Families, Children & the Courts (CFCC) and is being implemented in collaboration with the AOC Education Division/Center for Judicial Education and Research (CJER). This project provides to the courts information, educational materials, and training on the role of the courts in responding to domestic violence, sexual assault, and stalking cases in family, criminal, and juvenile courts in California.

FUNDING INFORMATION

The VAWEP initiative was funded by the Governor's Office of Criminal Justice Planning (OCJP)¹ with resources from the federal Office on Violence Against Women's (OVW) STOP (Services • Training • Officers • Prosecutors) grant program (See Appendix A of this report for a description of the STOP purpose areas).

Each state is required to allocate 5 percent of its annual STOP grant funding to support the courts in creating a more effective response to domestic violence, sexual assault, and stalking cases. To this end, VAWEP received \$483,503 (for the period from April 2002 to September 2003) in funding from OVW and OCJP that allowed the AOC to continue and enhance its efforts to educate judicial officers and court staff about domestic violence, sexual assault, and stalking issues.

¹ Note that as of the release date of this report OCJP's responsibilities were being transferred to another state agency.

Review of VAWEP Activities: April 2002–September 2003

In an effort to meet the project's goals and comply with the program purpose areas set forth by the Office on Violence Against Women, the VAWEP project undertook activities in two major areas: the delivery of educational events and the development of teaching materials and publications. A brief summary of each of these activities is provided in the following pages.

EDUCATIONAL EVENTS

To date, approximately 600 individuals (including judicial officers, court staff, attorneys, mental health providers, and advocates) have participated in VAWEP-sponsored training events and forums.

Domestic Violence Roundtable (May 2002) Judicial officers attended an interactive and facilitated roundtable discussion on domestic violence issues and their educational needs in this critical arena. The roundtable served both as a project focus group and as a forum for needs assessment, as the information gathered from this roundtable formed the basis for the project's subsequent activities. A total of 40 judicial officers attended this program and provided input about the critical needs facing the judiciary regarding domestic violence issues.

Domestic Violence Workshops at the Family Violence and the Courts Conference (May 2002) Eighteen enhanced training workshops on issues related to domestic violence were presented as part of the AOC-sponsored Family Violence and the Courts conference. The event addressed such issues as: domestic violence and immigration, what works in domestic violence courts, and the enforceability of restraining orders. The event was attended by 352 participants: 90 court personnel, 53 judicial officers, and 66 other professionals, ranging from domestic violence advocates to probation officers. Participants from a wide variety of backgrounds found the

sessions extremely beneficial; their comments included the following:

"Presentations were well done and thought provoking."

"These two bench officers are incredible! They are perfectly paired, passionate about their topic, informed, and impart useful information."

"This is such an important workshop. We need to be more successful in bridging the gap of misunderstanding and failed collaboration between DV advocates and the courts."

Domestic Violence Judicial Institute (May 2003) This judicial education program utilized a national interdisciplinary curriculum developed by the National Council of Juvenile and Family Court Judges and the Family Violence Prevention Fund. The program included workshops on fact finding, judicial officers' roles in a community response to domestic violence, fairness and cultural issues in domestic violence cases, decision-making skills and enforcement, victim behavior, and perpetrator behavior. The program also included sessions designed to engage judicial officers in practical courtroom exercises addressing the complexity of domestic violence cases and specific issues facing California judicial officers. Institute participants gave the program excellent evaluations and particularly valued its interdisciplinary approach. Attendees included 16 family law judicial officers, 5 criminal law judicial officers, 10 juvenile law judicial officers; 10 judicial officers with DVPA courts; 3 judicial officers with rotating

caseloads; and 2 supervising judges. The evaluations of the Domestic Violence Judicial Institute included the following comments from participants:

"The sharing of information between bench officers in different assignments (family, juvenile, and criminal) was invaluable."

"The quality of the presenters and the materials were outstanding. The interaction and pace made it most interesting. I will consider bias issues and assess the parties differently from now on."

"In total, this was the best group of faculty I have ever run across at a conference. Their knowledge and teaching style were excellent."

"The presenters addressed our own biases, and our own stereotypes were constantly challenged."

"The faculty was outstanding."

Domestic Violence and Sexual Assault Courses, Judicial College (June 2003)

Courses on both domestic violence and sexual assault were delivered as part of the B. E. Witkin Judicial College of California, a nationally recognized program providing comprehensive education for all new superior court judges, commissioners, and referees. The courses provided information related to domestic violence awareness and the criminal court's response to sexual assault cases.

In total, approximately 23 judges attended the sexual assault course and submitted positive evaluations and feedback. One faculty member, Superior Court Judge Rebecca Riley of Ventura County, praised the event as a landmark, noting that "a course dedicated specifically to issues of sexual assault in this setting is critical to enhancing the judicial knowledge base around these issues."

Attendance at the domestic violence awareness course, offered twice during the college, was a requirement for all college attendees. Sixty-two judges attended the session; all participants who submitted an evaluation reported that they were satisfied with the course. Many participants praised the course, noting:

"Even though I have an extensive family law background, I still learned several things."

"The faculty were extremely knowledgeable and clear communicators who gave clear, simple advice."

"The content of the course was excellent and both presenters were sincere, genuine, and motivated."

Safety for Victims and Accountability of Batterers in the Family Court – An Interactive Symposium (July 2003)

Twenty-nine judicial officers, victims' advocates, family court professionals, and attorneys convened to discuss the critical issues of safety and accountability in family law cases involving domestic violence. The structured discussion addressed crucial and controversial issues relating to victims of domestic violence and their experience in family courts. The forum will be the basis for a judicial education curriculum on these issues. The information gathered will also provide an outline and baseline information for a policy pamphlet to be issued by the CFCC.

Participant feedback included the following comments on the forum:

"The level of interest, involvement, and commitment expressed by this group is inspiring and leaves me hopeful about the possibility of developing a collaborative (rather than a fragmented or polarized) approach to addressing not only family violence but other issues facing families involved with the courts."

"The opportunity to participate in a group comprising a cross-section of professionals working in family law broadened my understanding of roles, expectations, and intervention / prevention strategies."

"It was important to discuss the development of statewide practices, procedures and protocols (including training, data collection, and evaluation) relating to domestic violence issues in an interdisciplinary manner."

Sexual Assault Program, Summer Continuing Judicial Studies Program (CJSP) (August 2003) A day-long course on sexual assault was convened at CJSP, a forum designed for the advanced education of experienced judges. The course was based on a national curriculum, *Understanding Sexual Violence: The Judicial Response to Stranger and Non-stranger Rape and Sexual Assault*, developed by the National Judicial Education Program (NJEP). An interdisciplinary team of judicial officers, attorneys, and sexual assault experts created a California-specific adaptation of this widely admired model curriculum and piloted the curriculum at CJSP. The California version of the curriculum included information about voir dire and jury issues; offender characteristics, special protection for victims, the neurobiology of trauma, evidentiary considerations in sexual assault cases, and the use of expert witnesses. A total of 49 judicial officers attended this event: 26 criminal court judges, 9 civil court judges, 6 judges who preside over both civil and criminal cases, 5 general assignment judges, 2 family court judges, and 1 supervising judge.

Participant feedback was extremely positive and included the following observations:

"This was a great course! It should be required at the Judicial College."

"The greatest strengths of the faculty were their passion for the subject and the depth of their knowledge."

"The information about neurobiology was fascinating."

TEACHING MATERIALS AND PUBLICATIONS

VAWEP developed the following teaching materials and publications:

Domestic Violence: What Every Judge Should Know (Judicial Teaching Guide)

(September 2003) This teaching guide, developed for use in California, focuses on myths about domestic violence, the role of judicial officers in domestic violence cases, behavioral and legal definitions of domestic violence, evidentiary issues, and restraining orders, among other topics. The guide contains relevant information, resources, suggested hypotheticals and exercises, and handouts. Updated to include recent changes to statute and case law, the guide is being distributed as needed to faculty for programs that include domestic violence issues. Student materials based on the curriculum will be available where relevant.

Serving the Public in Domestic Violence Cases: A Course for Court Employees

(September 2003) This teaching guide was designed to address the information needs of all court employees who may come into contact with parties in domestic violence cases. It addresses issues such as definitions of and statistics about domestic violence, public service in domestic violence cases, and safety in court for both litigants and staff. Updated to include recent changes to statute and case law, the teaching guide is available to faculty teaching programs designed for court employees and will be the basis for future stand alone programming for court staff on domestic violence. The guide also includes a full array of teaching tips, handouts, and text for overhead and PowerPoint slides.

Bench Handbook: Judge's Guide to California Protective Orders

(September 2003) This handbook clearly and concisely explains the various protective orders applicable in domestic violence, stalking, and sexual assault cases. It includes coverage of elder abuse, civil harassment, and workplace violence orders. The handbook also explains the legal requirements and effects of these orders and aids judicial officers in determining effective and appropriate orders in these cases. The handbook has been published and distributed to all judicial officers, and it is posted on a Web site for judicial officers. Among the comments received about the effectiveness of the handbook are:

"This might be the best judicial guide I have ever used. I will use it a great deal."

"Awesome guide! A much needed resource for California's judiciary. Thanks for putting together this valuable tool."

Annual Report and Fact Sheet VAWEP has developed a project annual report and a basic project Fact Sheet that highlight key accomplishments and activities and supply details about the project, its faculty, and staff. These documents are available on the California Judicial Branch Website: www.courtinfo.ca.gov. More than 2,000 judicial officers in California will receive or have Web access to these documents.

GOALS FOR FUTURE FUNDING CYCLES

In anticipation of funding for future grant cycles, VAWEP has set the following goals for the 2003—2004 project year (subject to approval and available funding):

- Convene quarterly meetings of the project's advisory committee.

- Conduct five programs at the Continuing Judicial Studies Program to include, at a minimum, two courses on sexual assault, and courses on federal full faith and credit provisions firearms restrictions, immigration issues, and custody disputes in cases involving domestic violence.
- Conduct two workshops (on domestic violence and sexual assault) at the B. E. Witkin Judicial College.
- Develop and disseminate a project fact sheet and annual report.
- Convene two forums on violence against women issues of particular relevance to the California courts.
- Convene two two-day regional training sessions on domestic violence and/or sexual assault, depending on the needs of the requesting jurisdiction.
- Convene the 2004 Family Violence Conference, which will bring together a team of participants from each court across the state to address the courts' response to domestic violence cases.
- Publish, distribute, and post on line practical guides for judges addressing topics of stalking, firearms restrictions in domestic violence cases, federal full faith and credit provisions, and immigration issues in domestic violence, sexual assault, and stalking cases.
- Develop a basic curriculum and teaching guide on issues of sexual assault.

VAWEP staff will continue to assess the greatest training and educational needs of the California judiciary in order to best meet the need for training and resources on the complex issues of domestic violence, sexual assault, and stalking that are currently facing the courts.

VAWEP FACULTY

Over 60 judicial officers and other family law and criminal justice practitioners, researchers, victim advocates, and others have served as faculty for various VAWEP events. The project is extremely grateful to these individuals for sharing their expertise with others in an effort to educate judicial officers, court staff, and other disciplines about issues of domestic and sexual violence. The following is a comprehensive list of all those who assisted the project through August 2003.

Domestic Violence Roundtable (May 2002)

Hon. Mary Ann Grilli
*Judge of the Superior Court of California,
County of Santa Clara*

Family Violence and the Courts Conference (May 2002)

Dr. Ruthanne Allen
*Family Court Services,
Superior Court of California,
County of Alameda*

Hon. Deborah B. Andrews
*Judge of the Superior Court of California,
County of Los Angeles*

Ms. Maritza Arriola
*Project Coordinator,
Los Angeles Commission on Assaults Against
Women*

Mr. Pat Barron
*Detective,
Los Angeles Police Department*

Ms. Louise Bayles-Fightmaster
*Family Law Facilitator,
Superior Court of California,
County of Sonoma*

Ms. Alana Bowman
*Deputy City Attorney,
Los Angeles City Attorney's Office,
Domestic Violence Unit*

Hon. Susan M. Breall
*Judge of the Superior Court of California,
County of San Francisco*

Ms. Kimberly Briggs
*Staff Attorney,
United States Attorney's Office*

Hon. Norma Castellanos-Perez
*Commissioner, Superior Court of California,
County of Tulare*

Mr. Armando Cervantes
*Chief Adult Probation Officer,
San Francisco County Probation Department*

Ms. Estelle Chun
*Director of Legal Services,
Asian Pacific American Legal Center*

Hon. Becky Dugan
*Judge of the Superior Court of California,
County of Riverside*

Hon. Anita H. Dymant
*Judge of the Superior Court of California,
County of Los Angeles*

Hon. Leonard P. Edwards
*Judge of the Superior Court of California,
County of Santa Clara*

Ms. Valerie Fercho Tillery
*Field Representative,
California Department of Justice*

Ms. Sandra Gaarder
*Manager of Domestic Violence Programs,
Crime and Violence Prevention Center*

Dr. Edward W. Gondolf
*Associate Director of Research,
Mid-Atlantic Addiction Training Institute*

Ms. Nicole Gould
*Social Worker III,
Department of Family & Children's Services,
Santa Clara County*

Family Violence and the Courts Conference (May 2002) (continued)

Hon. Ernestine S. Gray
*Chief Judge,
 Orleans Parish Juvenile Court,
 New Orleans, Louisiana;
 President of the National Council of Juvenile
 and Family Court Judge*

Ms. Beverly Green-Simmons
*Director of the Green Book Project,
 San Francisco County*

Hon. Mary Ann Grilli
*Judge of the Superior Court of California,
 County of Santa Clara*

Hon. Donna J. Hitchens
*Presiding Judge of the
 Superior Court of California,
 County of San Francisco*

Ms. Lianne Hope
*volunTEEN,
 Center for Domestic Violence Prevention*

Mr. Vahan Hovsepien
*Administrator of Mediation Services,
 Family and Children's Division
 Superior Court of California,
 County of Butte*

Dr. E. Ronald Hulbert
*Deputy Executive Officer,
 Superior Court of California,
 County of Riverside*

Hon. Pamela Lee Iles
*Judge of the Superior Court of California,
 County of Orange*

Dr. Kathleen Krenek
*Executive Director,
 Next Door Solutions to Domestic Violence,
 Santa Clara County*

Ms. Alyce Laviolette
*Co-chair,
 California Association of Batterers' Intervention
 Programs*

Ms. Sally Kinoshita
*Staff Attorney,
 Immigrant Legal Resource Center*

Ms. Ellen Lenihan
*Teen Outreach Counselor,
 Center for Domestic Violence Prevention*

Mr. Carlos Morales
*Assistant Project Director,
 Los Angeles Commission on Assaults
 Against Women*

Hon. Kathleen E. O'Leary
*Associate Justice of the Court of Appeal,
 Fourth Appellate District, Division Three*

Hon. Thomas H. Schulte
*Commissioner of the
 Superior Court of California,
 County of Orange*

Ms. Liza Siebel
Attorney, Break the Cycle

Ms. Lorie Taylor
*Detective,
 Los Angeles Police Department*

Dr. Patricia J. Van Horn
*Psychologist,
 Child Trauma Research Project*

Mr. William Villarreal
*Project Coordinator,
 Los Angeles Commission on Assaults Against Women*

Ms. Zulema Ruby White
*Information Specialist
 National Council of Juvenile and Family Court Judges,
 Family Violence Division*

Hon. Cerena Wong
*Judge of the Superior Court of California,
 County of Sonoma*

Domestic Violence Judicial Institute (May 2003)

Hon. Jeffrey Bostwick
*Judge of the Superior Court of California,
County of San Diego*

Hon. Jerry J. Bowles
*Judge of the Jefferson County,
Kentucky Circuit Court,
Family Court, Division Six*

Hon. Kenneth Burr
*Judge of the Superior Court of California,
County of Alameda*

Hon. Norma Castellanos-Perez
*Commissioner of the
Superior Court of California,
County of Tulare*

Hon. Sherrill Ellsworth
*Commissioner of the
Superior Court of California,
County of Riverside*

Hon. David Gersten
*Judge of the Court of Appeal,
Third Appellate District*

Hon. Scott Gordon
*Commissioner of the
Superior Court of California,
County of Los Angeles*

Hon. Eugene M. Hyman
*Judge of the Superior Court of California,
County of Santa Clara*

Peter G. Jaffe, Ph.D., C. Psych.
*Executive Director,
London Family Court Clinic, Inc.*

Hon. Harold E. Kahn
*Judge of the Superior Court of California,
County of San Francisco*

Hon. Amy Karan
*Chief Administrative Judge,
Miami Dade County
Domestic Violence Court*

Hon. Peter Macdonald
*Judge of the Commonwealth of Kentucky,
Third Judicial District*

Ms. Shaun Wardinsky
*Attorney,
Yates, Matthews & Morasch, P.C.*

Sujata Warrier, Ph.D.
*Director, Health Care Bureau,
New York State Office
for the Prevention of Domestic Violence*

Hon. Gretchen Taylor
*Commissioner of the
Superior Court of California,
County of Los Angeles*

Hon. Glenda Veasey
*Commissioner of the
Superior Court of California,
County of Los Angeles*

Domestic Violence and Sexual Assault Courses, Judicial College (June 2003)

Hon. Kenneth Burr
*Judge of the Superior Court of California,
County of Alameda*

Hon. Robert P. Dale
*Judge of the Superior Court of California,
County of Sonoma*

Hon. Rebecca Riley
*Commissioner of the
Superior Court of California,
County of Ventura*

Hon. Cerena Wong
*Judge of the Superior Court of California,
County of Sonoma*

Continuing Judicial Studies Program (August 2003)

Hon. Kenneth Burr
*Judge of the Superior Court of California,
County of Alameda*

Hon. Scott Gordon
*Commissioner of the
Superior Court of California,
County of Los Angeles*

David Lisak, Ph.D.
*Professor,
Department of Psychology,
University of Massachusetts at Boston*

Hon. Rebecca S. Riley
*Judge of the Superior Court of California,
County of Ventura*

Safety for Victims and Accountability of Batterers in the Family Court –An Interactive Symposium (July 2003)

Ms. Heidi Kolbe
*Facilitator,
Sacramento, California*

APPENDIX A

STOP GRANT PURPOSE AREAS

STOP formula grants are intended for use by states; state, local, and tribal courts; Indian tribal governments; units of local government; and nonprofit, nongovernmental victim services programs. Grants supported through this program must meet one or more of the following statutory program purpose areas:

- Training law enforcement officers, judges, other court personnel, and prosecutors to more effectively identify and respond to violent crimes against women, including the crimes of sexual assault, domestic violence, and dating violence.
- Developing, training, or expanding units of law enforcement officers, judges, other court personnel, and prosecutors specifically targeting violent crimes against women, including the crimes of sexual assault and domestic violence.
- Developing and implementing more effective police, court, and prosecution policies, protocols, orders, and services specifically devoted to preventing, identifying, and responding to violent crimes against women, including the crimes of sexual assault and domestic violence.
- Developing, installing, or expanding data collection and communication systems, including computerized systems, linking police, prosecutors, and courts or for the purpose of identifying and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women, including the crimes of sexual assault and domestic violence.
- Developing, enlarging, or strengthening victim services programs, including sexual assault, domestic violence, and dating violence programs; developing or improving delivery of victim services to underserved populations; providing specialized domestic violence court advocates in courts where a significant number of protection orders are granted; and increasing reporting and reducing attrition rates for cases involving violent crimes against women, including crimes of sexual assault, domestic violence, and dating violence.
- Developing, enlarging, or strengthening programs addressing stalking.
- Developing, enlarging, or strengthening programs that address the needs and circumstances of Indian tribes dealing with violent crimes against women, including the crimes of sexual assault and domestic violence.
- Supporting formal and informal statewide, multidisciplinary efforts, to the extent not supported by state funds, to coordinate the response of state law enforcement agencies, prosecutors, courts, victim service agencies, and other state agencies and departments to violent crimes against women, including the crimes of sexual assault, domestic violence, and dating violence.
- Training of sexual assault forensic medical personnel examiners in the collection and preservation of evidence, analysis, prevention, and providing expert testimony and treatment of trauma related to sexual assault.
- Developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and others to address the needs and circumstances of older and disabled women who are victims of sexual assault or domestic violence, including recognizing, investigating, and prosecuting instances of such assault or violence and targeting outreach and support, counseling, and other victim services to such older and disabled individuals.
- Providing assistance to victims of sexual assault and domestic violence in immigration matter.